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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,784	11/15/2000	Ali Najib Saleh	CIS0009P3US	5218

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EXAMINER

NGUYEN, HANH N

ART UNIT PAPER NUMBER

2662

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,784

Applicant(s)

SALEH ET AL.

Examiner

Hanh Nguyen

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). *In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-82 is/are pending in the application.
- 4a) Of the above claim(s) 44-69 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-27, 29-43 and 70-82 is/are rejected.
- 7) ☒ Claim(s) 16 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7.8&9.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 1, 31 and 70 are objected to because of the following informalities: In claim 1, it is suggested that “said resource” on lines 5 & 6 be rewritten as “hardware components” in order to avoid confusion with “a resource” on line 3. Claims 31 and 70 have similar problems.

Claims 5 and 9 are objected to because the limitations of these two claims are duplicated.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 10, 12, 13, 15, 16, 19-30, 27, 38 and 77 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 7, it is not clearly stated on line 3 what is meant by “said resources include said resource” and on line 9 “said resource control blocks include said resource control block”.

In claim 10, it is not clearly stated on line 3 “said resource manager include said resource manager”. Claims 12, 13 and 16 are rejected because they depend on claim 7.

In claim 15, it is not clearly stated what is meant by “each one of a second plurality of said resource managers is a group resource manager” and “each one of a second plurality of said resource control blocks is a group resource control block”.

In claim 19, it is not clear what is meant by “said data structure” since it does not have a support in its parent claim 18.

In claim 27, it is not clearly stated what is meant by “resource manager is configured specifically for a one of said first plurality of resources running said at least one of resource managers.

Claims 20-30 are rejected because they depend on claim 19.

In claims 38 and 77, it is not clearly stated what is meant by maintaining resource control block in response to a reply from said resource generated in response to a protocol message sent by said processor.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14, 17-26, 29-37, 39-43, 70, 71, 73-76 and 78-82 are rejected under 35 USC 102(b) as being anticipated by Glider et al. (pat. 5,361,347).

In claims 1, 5, 9, 18, 19, 20, 26, 31, 34, 70 and 73, Glider et al. discloses a computer system comprises a dynamic storage controller (DSC) (a resource manager) comprising a local processor 116 (a processor) coupled to resource element 122A (communication comprises a processor coupled to said resource). See Fig.1A. See col.2, line 65 to col.3, line 10. The local processor 116 controls the operation of DSC 106 (processor is configured to execute resource manager). See col.3, lines 1-5. A resource control block 200 (see Fig.2) is a software structure (a resource) that contains information regarding a resource element 122A (said resource)

(resource control block corresponds to a system resource and maintains information regarding said resource). See col.4, lines 8-17. Each resource control block is stored in a resource element 122A (each resource control block is stored in a resource). See col.4, lines 10-20.

In claims 3, 23, 32 and 71, Glider et al. discloses the resources 122A are node elements connected to each other (resource is a hardware element). See Abstract & col.4, lines 8-13.

In claims 2, 4, 6, 7, 8, 11, 20, 21, 22, 25, 33, 41, 43, 80 and 82, Glider et al. discloses, in Fig.2, the resource control block 200 comprises a resource type (see col.7, lines 1-10), unique name of resource 201 (resource ID), state of resource 203 (status of resource). See col.4, lines 20-25. The unique name of resource 201 represents an index in a table of pointers indicating resource location in hierarchy (resource identifier serves as an index in table of pointers pointing to one of resource control block). See col.6, lines 65-70. The resources are arranged in levels, for example from parent resource to peer resource and child resource (resources arranged in hierarchy levels). See col.6, lines 58-70.

In claim 10, Glider et al. discloses a plurality of dynamic storage controllers 102, 108 (a plurality of resource managers). See Fig.1B, col.2, line 65 to col.3, line 5. Each resource control block is composed of list resource hierarchy (hierarchy list of resources). See col.6, lines 64-70.

In claims 12 and 13, Glider et al. discloses a dynamic storage controller (DSC) (a resource manager) (see Fig.1B) and resource control block 200 (See Fig.2).

In claim 14, Glider et al. discloses each controllers 106, 108 are separate controller (self resource manager) and each resource control block is included in a memory 152 (self resource control block). See col.4, lines 14-20.

In claim 17, Glider et al. discloses the computer system represents interdependencies of the resources by organizing the resources in a logical structure in which each resource is a node connected to at least one other resource. This shows that each resource control block contains information from other resource control blocks. See Abstract & col.6, lines 38-45..

In claim 29, the limitations of this claim has been addressed in claim 1.

In claim 30, Glider et al. discloses, in Fig.7, a DSC 712 (resource manager) comprises system resource X 710 (maintain network resource). See col.8, lines 50-55.

In claims 35 and 74, Glider et al. discloses, in Fig.1B, each processor 116/150 is associated with a resource control block 200 in local memory 118/152 (creating a processor resource control block corresponding to said processor). See col.4, lines 10-20.

In claims 36, 37, 40, 75, 76 and 79, Glider et al. discloses the resource is initilized / power up(initialization / power up of resource), performed self diagnostic (perform a self test) to determine availability state (provide status information). See col.6, lines 45-50. The resource receive a request from an external computer (receiving command / alive message from processor), allocates the resource (execute the command). See col.10, lines 5-12.

In claims 42 and 81, the limitations of these claims have been addressed in claim 1.

In claims 39 and 78, Glider et al. discloses the computer system operates in both operting system and fault management method (a protocol is employed with the resource). See col.3, lines 23-30.

Allowable Subject Matter

Claims 16, 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 16, the prior art does not disclose each one of third resource manager is a line card resource manager; and each one of third resource control block is a line card resource control block.

In claim 28, the prior art does not disclose each resource processor of said first plurality of resources configured to run a corresponding one of said first plurality of resource managers; and said each resource processor of said first plurality of resources is configured to maintain a one of said second plurality of resource control blocks corresponding to said at least one of said second plurality of resources in response to communications with said at least one of said second plurality of resources.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baratz et al. (Pat. 4914571) discloses Locating Resources in Computer Networks.

Bales et al. (Pat. 5,781,615) discloses Fully Distributed Message Storage Facilities in a Distributed Switching System.

Ernst (Pat. 6298371 B1) discloses Method of Dynamically Adjusting NCP Program memory Allocation of SNA Network.

Art Unit: 2662

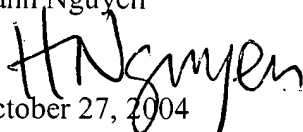
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Friday from 8AM to 4:30PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen

October 27, 2004

A handwritten signature in black ink, appearing to read 'HNguyen', is written over the typed name and date.